L.B.F. 3015.1

UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

In re: Edgar Guarino		Case No.: 19-13360	
Leura A. Guarino	•	Chapter 13	
	Debtor(s)	•	·
	Chapt	ter 13 Plan	
_ · ·			
Original		,	•
4th Amended			
Date:			•
Date.		•	
		ILED FOR RELIEF UNDER HE BANKRUPTCY CODE	
	YOUR RICHTS	WILL BE AFFECTED	
		ng on Confirmation of Plan, which contains the de	
hearing on the Plan proposes carefully and discuss them v	ed by the Debtor. This document is the actual with your attorney. ANYONE WHO WISH in accordance with Bankruptcy Rule 3015 at	Plan proposed by the Debtor to adjust debts. You ES TO OPPOSE ANY PROVISION OF THIS nd Local Rule 3015-4. This Plan may be confirm	should read these papers PLAN MUST FILE A
e E	MUST FILE A PROOF OF CLAIM	TRIBUTION UNDER THE PLAN, YOU BY THE DEADLINE STATED IN THE TING OF CREDITORS.	
•	NOICE OF REE	ING OF CREDITORS.	
Den in Banking in Rule Ist	13.1		
The second second second	12. 1 See Brothe		
`[] Plin	in contains nonstandard or additional provisio	ons — see Part 9	
⊮ Pla	an limits the amount of secured claim(s) base	d on value of collateral – see Part 4	
☐ Pia	an avoids a security interest or lien - see Part	4 and/or Part 9	
• •			•
for 1 M is Avainable forg	n (2 au 12 an Seitem - 2001 8 2an Air 2an 180	CSE DE COMPLETED POLA ERV CASE	
Debtor shall pay ti Debtor shall pay ti	unt to be paid to the Chapter 13 Trustee ("Trustee \$ per month for 60	months, and onths.	
The Plan payments by I added to the new monthly P!	unt to be paid to the Chapter 13 Trustee ("Trustee ("Trustee)" Debtor shall consists of the total amount pre-	eginning November 24, 2020 (date) and contin	
Other changes in the	e scheduled plan payment are set forth in § 2	(4)	
§ 2(b) Debtor shall mak when funds are available, if	ke plan payments to the Trustee from the foll known):	lowing sources in addition to future wages (Descr	ibe source, amount and date
\$-2(c) Alternative trea	atment of secured claims;	and the second second	
iki raduc n. 1400g	e" is checked, the rest of § 2(c) need not be o	∞	EZ

Page 1

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					•
ebtor Edgar Guari	ina		. Case numbe	r 19-13360	
Laure A. Gu		<u>.</u>	Case numbe	1 13-13300	
				,	
Sale of real prop	erty	•		•	
See § 7(c) below for	detailed description	· · · · · · · · · · · · · · · · · · ·			
Loan medification	on with respect to mortgage a	ncumbering prone	ethet :	•	
See § 4(f) below for	detailed description,				
§ 2(d) Other information	n that may be important relati	ing to the payment	and leveth of Plan	:	
§ 2(e) Estimated Distribe	ertion .		• •		
A. Total Priority	y Claims (Part 3)		:"	•	•
i. Unpaid att	torney's fees	, · · ·	\$	5,690.00	
2. Unpaid att	tomey's cost		\$	0.00	
3. Other rein	rity claims (e.g., priority taxes)		- \$	22,980.49	
		•	• • •		
B. Total distribu	ution to cure defaults (§ 4(b))	·	\$	26,825.80	
C. Total distribu	ution on secured claims (§§ 4(c)	&(d))	\$ <u> </u>	17,044.12	
To Total disease.	ution on unsecured claims (Part	• . · .*		45 507 00	
D. Total district	wan on measures comes fear.	2)	2	13,597.80	
	Subtotal	,	· \$:	88,138,21	
E. Estimated Tr	ustee's Commission		\$.9,570.91	
			and the second		
		: ·	•	95,708.12	
F. Base Amount	Ţ			00,100,12	
				00,100.12	-
	on Asia and induced approximation	Jeon. 's Coursei l	NV:	30,700.12	
of the later of the edge and		· · · · · · · · · · · · · · · · · · ·			ıcrwise:
§ 3(a) Except as prot	vided in § 3(b) below, all allow	wed priority claims	will be paid in full	unless the creditor agrees of	terwise:
§ 3(a) Except as protection	vided in § 3(b) below, all allow Type of Pri pulse PC 38505 Attorney F	wed priority claims iority	will be paid in full		s 5,690.00
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		A. Guarino		- .	-	1000	
		rill pay the creditor(s) lis					
accordance v	with the c	contract terms or otherwing and Urban Devel	ise by agreement th	nis is the second m	iortgage. PHFA	4-Hemap Io	an .
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Ş 4(D)		Default and Meintaini					
.□.	. None	. If "None" is checked,	the rest of § 4(b) need no	ot be completed.	* .		
The T	rustee sh	all distribute an amount	sufficient to pay allowe	d claims for prepetitio	m arrearages; and	Debtor sha	ii nav directly to credito
othly obligat	ions falli	ng due after the bankrup	acy filing in accordance	with the parties' contr	ract.	P-4	i kui
editor			Current Monthly	Estimated	Interest Rate		be Paid to Creditor
÷.	· P	roperty and Address,	Payment to be paid	Arrearage	on Arrearage,	by the Tru	. • .
	1_		directly to creditor by Debtor		if applicable (%)		
		32 Candiswyck load Lancaster, PA			,		<u></u>
	17	7601 Lancaster	<i>l</i> . • .	Prepetition:]	1	
ene Finan		ounty	0.00	\$ 26,825.80	0.00%	<u> </u>	\$26,825.80
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717-560-5429 nm Doc 42 10/08/2020 Case 19 Guarino Family Chiro Entered 10/08/20 10:51:55 - Desc Main Filed 10/08/20_ Document Page 4 of 6 Debtor Edgar Guarino Case number 19-13350 Laura A. Guarino § 5(a) Separately classified allowed unsecured non-priority claims None. If "None" is checked, the rest of § 5(a) need not be completed. § 5(b) Timely filed unsecured non-priority claims (1) Liquidation Test (check one box) All Debtor(s) property is claimed as exempt. Debtor(s) has non-exempt property valued at \$_ for purposes of § 1325(a)(4) and plan provides for distribution of \$_ _ to allowed priority and unsecured general creditors. (2) Funding: § 5(b) claims to be paid as follows (check one box): Pro rata 100% Other (Describe) \mathbf{V} None. If "None" is checked, the rest of § 6 need not be completed or reproduced. § 7(a) General Principles Applicable to The Plan (1) Vesting of Property of the Estate (check one box) Upon confirmation Upon discharge (2) Subject to Bankruptcy Rule 3012, the amount of a creditor's claim listed in its proof of claim controls over any contrary amounts listed in Parts 3, 4 or 5 of the Plan. (3) Post-petition contractual payments under § 1322(b)(5) and adequate protection payments under § 1326(a)(1)(B), (C) shall be disbursed to the creditors by the debtor directly. All other disbursements to creditors shall be made to the Trustee. (4) If Debtor is successful in obtaining a recovery in personal injury or other litigation in which Debtor is the plaintiff, before the completion of plan payments, any such recovery in excess of any applicable exemption will be paid to the Trustee as a special Plan payment to the extent necessary to pay priority and general unsecured creditors, or as agreed by the Debtor or the Trustee and approved by the court. § 7(b) Affirmative duties on holders of claims secured by a security interest in debtor's principal residence (1) Apply the payments received from the Trustee on the pre-petition arrearage, if any, only to such arrearage.

(3) Treat the pre-petition arrearage as contractually current upon confirmation for the Plan for the sole purpose of precluding the imposition of late payment charges or other default-related fees and services based on the pre-petition default or default(s). Late charges may be assessed on post-petition payments as provided by the terms of the mortgage and note.

(2) Apply the post-petition monthly mortgage payments made by the Debtor to the post-petition mortgage obligations as provided for by

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the terms of the underlying mortgage note

Debtor

Edgar Guarino Laura A. Guarino

Case number

19-13360

- (4) If a secured creditor with a security interest in the Debtor's property sent regular statements to the Debtor pre-petition, and the Debtor provides for payments of that claim directly to the creditor in the Plan, the holder of the claims shall resume sending customary monthly statements.
- (5) If a secured creditor with a security interest in the Debtor's property provided the Debtor with coupon books for payments prior to the filling of the petition, upon request, the creditor shall forward post-petition coupon book(s) to the Debtor after this case has been filed.
 - (6) Debtor waives any violation of stay claim arising from the sending of statements and coupon books as set forth above.
 - § 7(c) Sale of Real Property
 - Name. If "None" is checked, the rest of § 7(c) need not be completed.
- . (1) Closing for the sale of ___(the "Real Property") shall be completed within months of the commencement of this bankruptcy case (the "Sale Deadline"). Unless otherwise agreed, each secured creditor will be paid the full amount of their secured claims as reflected in § 4.b (1) of the Plan at the closing ("Closing Date").
 - (2) The Real Property will be marketed for sale in the following manner and on the following terms:
- (3) Confirmation of this Plan shall constitute an order authorizing the Debtor to pay at settlement all customary closing expenses and all liens and encumbrances, including all § 4(b) claims, as may be necessary to convey good and marketable title to the purchaser. However, nothing in this Plan shall preclude the Debtor from seeking court approval of the sale of the property free and clear of liens and encumbrances pursuant to 11 U.S.C. § 363(f), either prior to or after confirmation of the Plan, if, in the Debtor's judgment, such approval is necessary or in order to convey insurable title or is otherwise reasonably necessary under the circumstances to implement this Plan.
 - (4) Debtor shall provide the Trustee with a copy of the closing settlement sheet within 24 hours of the Closing Date.
 - (5) In the event that a sale of the Real Property has not been consummated by the expiration of the Sale Deadline:

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The order of distribution of Plan payments will be as follows:

Level 1: Trustee Commissions

Level 2: Domestic Support Obligations

Level 3: Adequate Protection Payments

Level 4: Debtor's attorney's fees

Level 5: Priority claims, pro rata

Level 6: Secured claims, pro rata

Level 7: Specially classified unsecured claims

Level 8: General unsecured claims

Level 9: Untimety filed general unsecured non-priority claims to which debtor has not objected

*Percentage feet payable to the standing trustee will be paid at the rate fixed by the United States Trustee not to exceed ten (10) percent.

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Under Bankruptcy Rule 3015.1(c). Plan provisions set forth below in Part 9 are effective only if the applicable box in Part 1 of this Plan is checked. Nonstandard or additional plan provisions placed elsewhere in the Plan are void.

None. If "None" is checked, the rest of § 9 need not be completed.

By signing below, attorney for Debtor(s) or unrepresented Debtor(s) certifies that this Plan contains no nonstandard or additional provisions other than those in Part 9 of the Plan.

Date: 10 8

Mitchell A. Sommers, Esquire PC 38505

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		Attorney for Debtor(s)		
If Debtor(s) are unrepresente	ed, they must sign below.	00-21		
Date: $6 - 2$	<u>020 ° </u>	Colfer X/1	earing	
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